

Application Serial No.: 10/601,157
Art Unit: 2853

REMARKS

This is a full and timely response to the final Office Action mailed October 3, 2005. Claims 1-7 and 9-18 remain pending in the present application. Reconsideration and allowance of the application and pending claims are respectfully requested.

1. Allowable Subject Matter

Applicants greatly appreciate the Examiner's statement in the previous Office Action in which claims 5 and 9-16 have been indicated as allowable. Applicants believe the remaining claims are in also in condition for allowance for at least the reason that the subject matter of the claims contain limitations recited in the Reasons for Allowance of claims 5 and 9-16.

2. Response To Rejections of Claims 1-4, 6, 7, 17, and 18 Under 35 U.S.C. §102

Claims 1-4 have been rejected under 35 U.S.C. §102(b) as being anticipated by *Kawamura* (U.S. Patent No. 6,310,639), and claims 1-4, 6, 7, 17, and 18 have been rejected under 35 U.S.C. §102(e) as being anticipated by *Buswell* (U.S. Patent No. 6,666,546). Applicants respectfully traverse these rejections.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed subject matter must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b). In the present case, not every feature of the claimed subject matter is represented in the *Kawamura* reference. Applicants discuss the *Kawamura* and *Buswell* references and Applicants' claims in the following.

a. Claim 1

As provided in independent claim 1, Applicants claim:

A structure comprising:
a substrate having a thickness defined by a first surface and a generally opposing second surface;
a trench having a long axis and received in the first surface and extending through less than an entirety of the thickness of the substrate; and,
a plurality of slots extending into the substrate from the second surface and connecting with the trench to form a compound slot through

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the substrate, the plurality of slots being separated from each other via substrate material extending from the second surface,

wherein a cross-section of the trench taken transverse the long axis has a first width that is proximate the first surface that is greater than a second width that is more distal to the first surface.

(Emphasis added).

Applicants respectfully submit that independent claim 1 is allowable for at least the reason that *Kawamura* or *Buswell* does not disclose, teach, or suggest at least "a plurality of slots extending into the substrate from the second surface and connecting with the trench to form a compound slot through the substrate, the plurality of slots being separated from each other via substrate material extending from the second surface," as recited and emphasized above in claim 1.

For example, *Kawamura* discloses a print head with a "semi-conductor substrate 303 . . . that has an upper surface 305 that is coated with a support layer 307." The print head further includes an "orifice plate 311 [that] has a lower surface 313 that conformally rests atop the support layer." Col. 6, lines 11-26. As shown in Fig. 3, the trench 327 identified in the Office Action extends through the entirety of the thickness of the substrate 303. Further, the vias 321, 323 identified in the Office Action do not extend into the substrate 303, but rather, they extend through the coating or support layer 307. Thus, *Kawamura* fails to teach or suggest "a plurality of slots extending into the substrate from the second surface and connecting with the trench to form a compound slot through the substrate, the plurality of slots being separated from each other via substrate material extending from the second surface." As a result, *Kawamura* does not teach or suggest all of the claimed features of claim 1.

Also, *Buswell* discloses a print head with slots 503, 504, 505 with contiguous terminal portions 503b, 503c. *See, e.g.*, Fig. 5. Thus, *Buswell* fails to teach or suggest "a plurality of slots extending into the substrate from the second surface and connecting with the trench to form a compound slot through the substrate, the plurality of slots being separated from each other via substrate material extending from the second surface." Thus, *Buswell* does not teach or suggest all of the claimed features of claim 1.

Therefore, claim 1 is not anticipated by *Kawamura* or *Buswell*, and the rejections should be withdrawn for at least this reason alone.

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b. Claims 2-4, 6-7, and 17-18

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-4, 6-7, and 17-18 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-4, 6-7, and 17-18 contain all the elements and features of independent claim 1. For at least this reason, the rejections of claims 2-4, 6-7, and 17-18 should be withdrawn.

3. Cancellation of Claim 8

To advance prosecution of the instant case, claim 8 is canceled without prejudice, waiver, or disclaimer. Applicants take this action merely to reduce the number of disputed issues and to facilitate early allowance and issuance of other claims in the present application. Applicants reserve the right to pursue the subject matter of the canceled claim in a continuing application, if Applicant so chooses, and does not intend to dedicate any of the canceled subject matter to the public.

CONCLUSION

For at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,


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